

Adopted	Rejected
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COMMITTEE REPORT

YES:	12
NO:	0

MR. SPEAKER:

Your Committee on **Agriculture, Natural Resources and Rural Development**, to which was referred House Bill 1116, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill **be amended** as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 SECTION 1. IC 14-8-2-77, AS AMENDED BY P.L.145-2002,
- 3 SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4 APRIL 1, 2004]: Sec. 77. "Division" has the following meaning:
- 5 (1) For purposes of IC 14-9-8, the meaning set forth in
- 6 IC 14-9-8-2.
- 7 (2) For purposes of IC 14-20-1, the meaning set forth in
- 8 IC 14-20-1-2.
- 9 (3) For purposes of **IC 14-20-1.1** and IC 14-21-1, the meaning
- 10 set forth in IC 14-21-1-6.
- 11 (4) For purposes of IC 14-22, the division of fish and wildlife.
- 12 (5) For purposes of IC 14-24, the division of entomology and
- 13 plant pathology.
- 14 (6) For purposes of IC 14-25.5, the division of water.

1 (7) For purposes of IC 14-31-2, the meaning set forth in
2 IC 14-31-2-4.

3 (8) For purposes of IC 14-37, the division of oil and gas.

4 SECTION 2. IC 14-8-2-107, AS AMENDED BY P.L.186-2003,
5 SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
6 APRIL 1, 2004]: Sec. 107. "Fund" has the following meaning:

7 (1) For purposes of IC 14-9-5, the meaning set forth in
8 IC 14-9-5-1.

9 (2) For purposes of IC 14-9-8-21, the meaning set forth in
10 IC 14-9-8-21.

11 (3) For purposes of IC 14-9-8-21.5, the meaning set forth in
12 IC 14-9-8-21.5.

13 (4) For purposes of IC 14-9-9, the meaning set forth in
14 IC 14-9-9-3.

15 (5) For purposes of IC 14-12-1, the meaning set forth in
16 IC 14-12-1-1.

17 (6) For purposes of IC 14-12-2, the meaning set forth in
18 IC 14-12-2-2.

19 (7) For purposes of IC 14-12-3, the meaning set forth in
20 IC 14-12-3-2.

21 (8) For purposes of IC 14-13-1, the meaning set forth in
22 IC 14-13-1-2.

23 (9) For purposes of IC 14-13-2, the meaning set forth in
24 IC 14-13-2-3.

25 (10) For purposes of IC 14-16-1, the meaning set forth in
26 IC 14-16-1-30.

27 (11) For purposes of IC 14-19-8, the meaning set forth in
28 IC 14-19-8-1.

29 (12) For purposes of IC 14-20-1, the meaning set forth in
30 IC 14-20-1-3.

31 **(13) For purposes of IC 14-20-1.1, the meaning set forth in**
32 **IC 14-20-1.1-1.**

33 **(14)** For purposes of IC 14-20-11, the meaning set forth in
34 IC 14-20-11-2.

35 ~~(14)~~ **(15)** For purposes of IC 14-22-3, the meaning set forth in
36 IC 14-22-3-1.

37 ~~(15)~~ **(16)** For purposes of IC 14-22-4, the meaning set forth in

- 1 IC 14-22-4-1.
- 2 ~~(16)~~ (17) For purposes of IC 14-22-5, the meaning set forth in
- 3 IC 14-22-5-1.
- 4 ~~(17)~~ (18) For purposes of IC 14-22-8, the meaning set forth in
- 5 IC 14-22-8-1.
- 6 ~~(18)~~ (19) For purposes of IC 14-22-34, the meaning set forth in
- 7 IC 14-22-34-2.
- 8 ~~(19)~~ (20) For purposes of IC 14-23-3, the meaning set forth in
- 9 IC 14-23-3-1.
- 10 ~~(20) For purposes of IC 14-23-8, the meaning set forth in~~
- 11 ~~IC 14-23-8-1.~~
- 12 (21) For purposes of IC 14-25-2-4, the meaning set forth in
- 13 IC 14-25-2-4.
- 14 (22) For purposes of IC 14-25-10, the meaning set forth in
- 15 IC 14-25-10-1.
- 16 (23) For purposes of IC 14-25-11-19, the meaning set forth in
- 17 IC 14-25-11-19.
- 18 (24) For purposes of IC 14-25.5, the meaning set forth in
- 19 IC 14-25.5-1-3.
- 20 (25) For purposes of IC 14-28-5, the meaning set forth in
- 21 IC 14-28-5-2.
- 22 (26) For purposes of IC 14-31-2, the meaning set forth in
- 23 IC 14-31-2-5.
- 24 (27) For purposes of IC 14-25-12, the meaning set forth in
- 25 IC 14-25-12-1.
- 26 (28) For purposes of IC 14-33-14, the meaning set forth in
- 27 IC 14-33-14-3.
- 28 (29) For purposes of IC 14-33-21, the meaning set forth in
- 29 IC 14-33-21-1.
- 30 (30) For purposes of IC 14-34-6-15, the meaning set forth in
- 31 IC 14-34-6-15.
- 32 (31) For purposes of IC 14-34-14, the meaning set forth in
- 33 IC 14-34-14-1.
- 34 (32) For purposes of IC 14-37-10, the meaning set forth in
- 35 IC 14-37-10-1.
- 36 SECTION 3. IC 14-20-1-8 IS AMENDED TO READ AS
- 37 FOLLOWS [EFFECTIVE APRIL 1, 2004]: Sec. 8. (a) The division

1 consists of the following two (2) sections:

2 (1) The section of museums.

3 (2) The section of historic sites.

4 ~~(b) The division director may not serve as the head of a section of~~
5 ~~the division.~~

6 ~~(c) An individual may not serve as the head of more than one (1)~~
7 ~~section of the division.~~

8 ~~(d)~~ (b) There must be a separate line item for each section of the
9 division in each bill appropriating money to the division.

10 SECTION 4. IC 14-20-1-9 IS AMENDED TO READ AS
11 FOLLOWS [EFFECTIVE APRIL 1, 2004]: Sec. 9. The division may do
12 the following:

13 (1) Undertake the action necessary to qualify the state for
14 participation in sources of federal aid to preserve historic property,
15 materials, items, sites, and memorials.

16 (2) Provide information on historic property, materials, items,
17 sites, and memorials within Indiana to federal, state, and local
18 governmental agencies, private individuals, and organizations.

19 (3) Advise and coordinate the activities of local historical
20 associations, historic district commissions, historic commissions,
21 and other interested groups or persons.

22 (4) Provide technical and financial assistance to local historical
23 associations, historic district commissions, historic commissions,
24 and other interested groups or persons.

25 (5) Develop a program of interpretation and publication of the
26 state's historical, architectural, and archeological resources.

27 (6) Collect and preserve objects of scientific and cultural value
28 representing past and present flora and fauna, the life and work of
29 man, geological history, natural resources, the manufacturing arts,
30 and fine arts.

31 **(7) Employ or contract with a person to manage or operate**
32 **any aspect of the state museum or historic sites.**

33 **(8) Make and sell merchandise, including publications,**
34 **reproductions, educational and craft items, and souvenirs.**

35 **(9) Pay royalties, license fees, and charges for exhibits,**
36 **artifacts, artwork, and other materials.**

37 **(10) Notwithstanding IC 5-22-22, under policies adopted by**

1 the division in accordance with the code of ethics of the
2 American Association of Museum:

- 3 (A) donate or exchange artifacts in the division's
4 collection to or with a public or nonprofit museum, a
5 historical society, a university, or a similar institution; or
6 (B) sell items in the division's collection at auction or
7 public sale.

8 SECTION 5. IC 14-20-1-16 IS AMENDED TO READ AS
9 FOLLOWS [EFFECTIVE APRIL 1, 2004]: Sec. 16. (a) The board of
10 trustees for the division of state museums and historic sites is
11 established.

12 (b) The trustees consist of thirteen (13) members as follows:

13 (1) The director of the department, who shall serve as chairman.

14 (2) Twelve (12) members appointed by the governor as follows:

15 (A) ~~One (1) member~~ **Three (3) members** of the Indiana State
16 Museum ~~Society Foundation who are~~ nominated by the
17 ~~Society Foundation.~~

18 ~~(B) One (1) member of the Indiana State Museum Volunteers~~
19 ~~nominated by the volunteers.~~

20 ~~(C) Two (2) members must be recognized supporters of~~
21 historic sites **who are nominated by a recognized supporter**
22 **of historic sites.**

23 ~~(D) (C) Not more than seven (7) members may be members~~
24 of the same political party.

25 ~~(E) Not more than two (2) members may be from the same~~
26 county.

27 ~~(F) Each congressional district in Indiana must be represented~~
28 by at least one (1) member.

29 (c) The terms of the appointed members shall be staggered.

30 **(d) The governor shall make appointments under subsection (b)**
31 **in a manner to achieve diversity and geographic balance among**
32 **the trustees.**

33 SECTION 6. IC 14-20-1-22 IS AMENDED TO READ AS
34 FOLLOWS [EFFECTIVE APRIL 1, 2004]: Sec. 22. The trustees shall
35 do the following:

36 (1) Nominate, when the position of division director is vacant, a

1 person to be appointed by the director to that position. If the
 2 director rejects a nominee's appointment, the trustees shall
 3 nominate another person.

4 (2) Recommend, when appropriate, the dismissal of a division
 5 director.

6 ~~(3) Make recommendations concerning the salary ranges of the~~
 7 ~~administrative, professional, and technical staff of the division.~~

8 ~~(4)~~ (3) Review the budget needs and requests of the division and
 9 make recommendations concerning the needs and requests to the
 10 governor through the director.

11 ~~(5)~~ (4) Recommend that the department accept or reject, hold, or
 12 dispose of grants of property to be administered by the division
 13 for the purpose of preservation, research, or interpretation of
 14 significant areas, events, or grants to citizens of Indiana for the
 15 purpose of preserving, studying, and interpreting archeological and
 16 natural phenomena, cultural trends, and accomplishments.

17 ~~(6)~~ (5) Review, guide, and assist in the development of statewide
 18 outreach programs.

19 ~~(7)~~ (6) Review, guide, and assist in the development of
 20 professionalism of the staff and operations.

21 ~~(8)~~ (7) Review, recommend, and devise methods to enable the
 22 division to do the following:

23 ~~(1)~~ (A) Increase the division's physical plant.

24 ~~(2)~~ (B) Expand the educational areas.

25 ~~(3)~~ (C) Meet storage needs.

26 ~~(9)~~ (8) Develop a plan of growth to meet physical, program, and
 27 financial needs for both the immediate and long range future,
 28 monitor the plan at regular intervals, and ensure that the institution
 29 stays within the developed plan.

30 ~~(10)~~ (9) Recommend policies, procedures, and practices that the
 31 commission, the director, and the secretary shall consider.

32 ~~(11)~~ (10) Give advice or make recommendations to the governor
 33 and the general assembly when requested or on the initiative of the
 34 trustees.

35 ~~(12)~~ (11) Review the conduct of the work of the division. To
 36 implement this duty, the trustees have access at any reasonable
 37 time to copies of all records pertaining to the work of the division.

~~(13)~~ (12) Adopt bylaws consistent with this chapter for the division's internal control and management and file a copy of the bylaws with the director.

~~(14)~~ (13) Hold meetings at the times and places in Indiana that are prescribed by the bylaws, but at least quarterly.

~~(15)~~ (14) Keep minutes of the transactions of each regular and special meeting and file the minutes with the director. The minutes are public records.

~~(16)~~ (15) Promote the welfare of the division.

~~(17)~~ (16) Make recommendations concerning the administration of the fund established by section 24 of this chapter.

SECTION 7. IC 14-20-1.1 IS ADDED TO THE INDIANA CODE AS A NEW CHAPTER TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2004]:

Chapter 1.1. Historic Site Fund

Sec. 1. As used in this chapter, "fund" refers to the historic site fund established as a dedicated fund by section 2 of this chapter.

Sec. 2. (a) The historic site fund is established to assist in providing funding for educational programs and the maintenance and operation of historic sites. The fund shall be administered by the division.

(b) The expenses of administering the fund shall be paid from money in the fund.

(c) The treasurer of state shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(e) Money in the fund is annually appropriated to the division for purposes established in this section.

Sec. 3. (a) The fund consists of proceeds from sales and leases under IC 14-20-1-23(b) and other proceeds generated by the historic sites.

(b) At least fifty-one percent (51%) of the funds collected from a particular historic site must be used to benefit that site.

1 **SECTION 8. An emergency is declared for this act.**
 (Reference is to HB 1116 as introduced.)

and when so amended that said bill do pass.

Representative Bischoff